

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/11-01/11 OA 3

Date: 11 May 2012

THE APPEALS CHAMBER

Before:

Judge Sang-Hyun Song, Presiding Judge

Judge Akua Kuenyehia

Judge Erkki Kourula

Judge Anita Ušacka

Judge Sanji Mmasenono Monageng

SITUATION IN THE LIBYAN ARAB JAMAHIRIYA

**IN THE CASE OF THE PROSECUTOR v. SAIF AL-ISLAM GADDAFI and
ABDULLAH AL-SENUSSI**

Public document

**Decision on the request to temporarily suspend the Prosecutor from conducting
any prosecutorial activities related to the case pending the determination of the
request for disqualification**

shs

No: ICC-01/11-01/11 OA 3

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Decision to be notified in accordance with regulation 31 of the Regulations of the Court to:

The Office of the Prosecutor

Mr Luis Moreno Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor

Counsel for the Defence

Mr Xavier-Jean Keïta
Ms Melinda Taylor

States Representatives

Mr Philippe Sands, Libya
Mr Payam Akhavan, Libya
Ms Michelle Butler, Libya

REGISTRY

Registrar

Ms Silvana Arbia

Shs

The Appeals Chamber of the International Criminal Court,

Having before it the “Request to Disqualify the Prosecutor from Participating in the Case Against Mr. Saif Al Islam Gaddafi” of 3 May 2012 (ICC-01/11-01/11-133),

After deliberation,

Renders unanimously the following

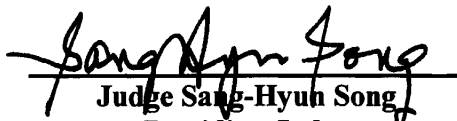
DECISION

The request to temporarily suspend the Prosecutor from conducting any prosecutorial activities related to the case against Mr Saif Al Islam Gaddafi pending a determination by the Appeals Chamber on the request to disqualify the Prosecutor is rejected.

This decision is without prejudice to the Appeals Chamber’s consideration of the request to disqualify the Prosecutor from participating in the case.

Reasons for the present decision will be given in the decision on the request to disqualify the Prosecutor.

Done in both English and French, the English version being authoritative.



Judge Sang-Hyun Song
Presiding Judge

Dated this 11th day of May 2012

At The Hague, The Netherlands